

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendant.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBaker LLC and JMBaker LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING

CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

**PLAINTIFFS' MOTION TO COMPEL THE RETURN OF
INADVERTENTLY PRODUCED OPINION WORK PRODUCT DOCUMENTS**

Class Plaintiffs Hans A. Quaak, Attilio Po and Karl Leibinger Class plaintiffs together with plaintiffs Stonington Partners, Inc., Stonington Capital Appreciation 1994 Fund L.P. and Stonington Holdings, L.L.C., Gary B. Filler and Lawrence Perlman, Trustees of the TRA Rights Trust, and Janet Baker, James Baker, JKBaker LLC and JMBaker LLC (collectively the "Plaintiffs") hereby jointly move, pursuant to Federal Rule of Civil Procedure 37 and Local Rule 37.1 to compel Defendant Dexia Bank Belgium ("Dexia") to return inadvertently produced opinion work product and to destroy any notes, memoranda or other documents Dexia has created concerning the opinion work product.

In support of this motion, Plaintiffs submit the accompanying memorandum of law and Declarations of Patrick T. Egan and Avi Josefson.

WHEREFORE, Plaintiffs respectfully request that the Court order Dexia to return the inadvertently produced opinion work product and to destroy any notes, memoranda or other documents Dexia has created concerning the opinion work product.

Certification under Fed. R. Civ. P.37(a)(2)(B) and Local Rules 7.1(a)(2) and 37.1(b)

Pursuant to Fed. R. Civ. P. 37(a)(2)(B) and Local Rules 7.1(a)(2) and 37.1(b) undersigned counsel hereby certify that counsel for Class Plaintiffs have conferred via correspondence with counsel for Dexia Bank Belgium in a good faith, but unsuccessful, attempt to secure the requested relief without intervention of this Court. Copies of letters documenting this meet and confer process are attached to the accompanying Declaration of Patrick T. Egan.

Dated: March 8, 2006

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, hereby certify that on this 8th day of March, 2006, a true and correct copy of the foregoing was served via electronic means, upon counsel listed on the attached service list and also via U.S. Mail on counsel for Dexia Bank Belgium identified on the attached list.

/s/ George R. Coe

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